	Application No.	**Applicant(s)**
Examiner-Initiated Interview Summary	09/827,229	AGUR ET AL.
	Examiner	**Art Unit**
	Marjorie A. Moran	1631

All Participants:

Status of Application: _____

(1) *Marjorie A. Moran*.

(3) _____.

(2) *Chid Iyer*.

(4) _____.

Date of Interview: *14 January 2004*

Time: _____

Type of Interview:
☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No
If Yes, provide a brief description:

Part I.

Rejection(s) discussed:
112 and 103

Claims discussed:
76, 102

Prior art documents discussed:
WICHMAN, KLEIN, THOMAS

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:
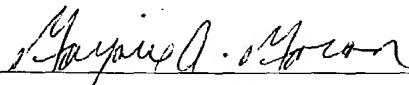*See Continuation Sheet*

Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

_____
(Examiner/SPE Signature)

_____
(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner informed Mr. Iyer that the after-final amendment and arguments filed 1/8/04 has been fully considered but the amendment would not be entered as it introduces new matter. As an aid to applicant in formulating future responses/amendments, the examiner detailed possible rejections and objections which would be raised by the proposed amendments to the claims, specification, abstract, and drawings. Applicant's arguments overcome the new matter rejection with regard to a "human" system or method, therefore this rejection is withdrawn. The proposed amendment to the specification and Figures 8 and 9 would overcome the objections to Figures 8 and 9. The proposed amendments to the claims would overcome SOME, but not all of the rejections under 35 USC 112 and 103 set forth in the final office action. The proposed limitation for a "change in cell number", as set forth in claims 76 and 102 is new matter. Original claims and the specification disclosed/recited "amplification" of cells. An amplification is generally defined as an increase in cell number, and the specification does not otherwise define the term. A "change in cell number" encompasses both an increase and DECREASE in cell number. As a decrease in cell number is not taught or recited anywhere in the original specification or claims, the amendment introduces new matter. Further, the proposed addition of labels to the curves of Figure 7 would be new matter. Nowhere does the original specification describe which curve of Figure 7 represents a particular cellular compartment or stage. The specification teaches that Figure 7 is a graphical representation of Figure 6. However, Figure 6 does not set forth the data such that one skilled in the art would be able to determine which compartment listed in Figure 6 is intended to correspond to which curve of Figure 7. The first sentence of the proposed new abstract is not a complete sentence. Arguments with regard to the prior art are not convincing for reasons detailed in the Advisory Action.

The examiner thanked the attorney for bringing the IDS to the examiner's attention. While filed before the date of the final rejection, the IDS had not been "matched" with the case at that time. The IDS has been considered with the exception of three references. The ZUCKER-FRANKLIN reference has no date of publication. The ATHANASSIOS reference was not found in the parent file, and was not, in fact, considered in the IDS filed in the parent. The AGUR reference does not have a place or date of publication, and was not considered for the same reason in the parent case.